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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-836]

Light-Walled Rectangular Pipe and Tube from Mexico: Final Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce

SUMMARY: On September 7, 2012, the Department of Commerce published the preliminary results of the administrative review of the antidumping duty order on light-walled rectangular pipe and tube (LWR pipe and tube) from Mexico. This review covers two respondent companies and the period of review is from August 1, 2010, through July 31, 2011. We invited interested parties to comment on the preliminary results but we received no such comments. Therefore, our final results remain unchanged from the preliminary results of review.

EFFECTIVE DATE: [Insert date of publication in the *Federal Register*.]

FOR FURTHER INFORMATION CONTACT: Edythe Artman or Angelica Mendoza,
AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S.
Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230;
telephone: (202) 482-3931 or (202) 482-3019, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 7, 2012, the Department published the preliminary results of the administrative review on LWR pipe and tube from Mexico in the *Federal Register*.¹ In these results, we preliminarily determined that the respondents, Maquilacero S.A. de C.V. (Maquilacero) and Regiomontana de Perfiles y Tubos S.A. de C.V. (Regiopytsa) did not sell subject merchandise at less than normal value during the period of review. We invited interested parties to comment on the preliminary results but received no such comments. We also did not receive a request for a hearing.

Period of Review

The period of review is August 1, 2010, through July 31, 2011.

Scope of the Order

The merchandise that is the subject of the order is certain welded carbon-quality light-walled steel pipe and tube, of rectangular (including square) cross section, having a wall thickness of less than 4 mm.

The term carbon-quality steel includes both carbon steel and alloy steel which contains only small amounts of alloying elements. Specifically, the term carbon-quality includes products in which none of the elements listed below exceeds the quantity by weight respectively indicated: 1.80 percent of manganese, or 2.25 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of

¹ See *Light-Walled Rectangular Pipe and Tube From Mexico: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review*, 77 FR 55186 (September 7, 2012) (*Preliminary Results*). Please note that reference to a partial rescission in this notice was erroneous, as no companies were rescinded from the review.

molybdenum, or 0.10 percent of niobium, or 0.15 percent vanadium, or 0.15 percent of zirconium. The description of carbon-quality is intended to identify carbon-quality products within the scope. The welded carbon-quality rectangular pipe and tube subject to the order is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7306.61.50.00 and 7306.61.70.60. While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

Final Results of Review

We determine that the following weighted-average dumping margins exist for the period August 1, 2010, through July 31, 2011:

<u>Manufacturer/Exporter</u>	<u>Weighted-Average Dumping Margins (percent)</u>
Maquilacero S.A. de C.V.	0.00
Regiomontana de Perfiles y Tubos S.A. de C.V.	0.00

Assessment Rates

We will instruct U.S. Customs and Border Protection (CBP) to apply an assessment rate of zero percent to all entries of subject merchandise during the period of review that were produced and exported by Maquilacero and Regiopytsa.

The Department clarified its “automatic assessment” regulation on May 6, 2003. *See Assessment of Antidumping Duties*. This clarification will apply to entries of subject

merchandise during the period of review produced by Maquilacero and Regiopytsa for which they did not know that their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate of 3.76 percent, as established in the less-than-fair-value investigation of this proceeding², if there is no rate for the intermediate company(ies) involved in the transaction.

In accordance with 19 CFR 356.8(a), the Department intends to issue assessment instructions to CBP on or after 41 days following the publication of the final results of this review.

Cash-Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered or withdrawn from warehouse for consumption on or after the publication date of these final results, consistent with section 751(a)(2)(C) of the Act: (1) For subject merchandise manufactured and exported by the Maquilacero and Regiopytsa, the cash deposit rate will be zero; (2) for previously reviewed or investigated companies, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, the prior review, or the investigation but the manufacturer is, then the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this review, a previous review or the less-than-fair-value investigation conducted by the Department, then the cash deposit rate will be the all-others rate of 3.76 percent. These deposit requirements,

² See *Light-Walled Rectangular Pipe and Tube from Mexico, the People's Republic of China, and the Republic of Korea: Antidumping Duty Orders*; *Light-Walled Rectangular Pipe and Tube from the Republic of Korea: Notice of Amended Final Determination of Sales at Less Than Fair Value*, 73 FR 45403, 45405 (August 5, 2008).

when imposed, shall remain in effect until further notice.

Notifications to Interested Parties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation, which is subject to sanction.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Lynn Fischer Fox
Deputy Assistant Secretary
for Policy and Negotiations

December 26, 2012 _____
Date

